

For the Nuclear Regulatory Commission.
Michael T. Lesar,
*Chief, Rules Review Section, Rules Review
and Directives Branch, Division of Freedom
of Information and Publications Services,
Office of Administration.*
[FR Doc. 96-9857 Filed 4-19-96; 8:45 am]
BILLING CODE 7590-01-P

[Docket No. 50-344]

**Portland General Electric Company,
Trojan Nuclear Plant; Order Approving
the Decommissioning Plan and
Authorizing Decommissioning of
Facility**

I

The Portland General Electric Company (PGE or the licensee) is the holder of Facility Operating License No. NPF-1 issued by the U.S. Nuclear Regulatory Commission (NRC or the Commission) pursuant to 10 CFR Part 50 on November 21, 1975, for the operation of the Trojan Nuclear Plant (TNP or the facility). The facility is located on the west bank of the Columbia River in Columbia County, Oregon. The license was amended to a possession-only license on May 5, 1993, removing the authority of the licensee to operate TNP.

II

The plant operated until November 9, 1992, when a leak in the "B" steam generator was detected and forced a shutdown of the plant. The licensee notified the NRC of the decision to permanently cease power operations on January 27, 1993. The fuel was transferred to the spent fuel pool, and on March 24, 1993, the NRC staff issued a Confirmatory Order to confirm a PGE commitment not to place fuel back into the reactor building without written approval by the NRC. The operating license was amended to a possession-only license on May 5, 1993. TNP is permanently defueled and cannot be operated nor can fuel be placed in the reactor under the terms of the license. The licensee submitted the decommissioning plan and a supplement to the environmental report for TNP on January 26, 1995.

On March 8, 1995, in accord with 10 CFR 50.82(e), a Notice of Receipt of the Decommissioning Plan and the Supplement to the Environmental Report and an Opportunity for Public Comment were published in the Federal Register (60 FR 12788). Because of public interest in the decommissioning process, the Federal Register notice announced a local public meeting to provide the public an opportunity to

comment on the plan. The meeting was held on March 29, 1995, at St. Helens, Oregon, and was transcribed.

By a letter of December 18, 1995, the staff informed the licensee that the decommissioning plan was acceptable. The staff documented its review of the licensee's decommissioning plan and supplement to the environmental report in a safety evaluation report and environmental assessment related to the licensee's request to authorize facility decommissioning. Public comments received at the meeting on March 29, 1995, in St. Helens, Oregon, were addressed in an appendix to the safety evaluation report.

On December 22, 1995, by a notice in the Federal Register (60 FR 66569) the Commission announced that the Commission was considering issuance of an Order approving the Trojan Decommissioning Plan. The notice also offered an opportunity for a hearing on the licensee's decommissioning plan. The licensee and members of the public were afforded 30 days from the date that the notice appeared in the Federal Register to submit a request for hearing and a petition for leave to intervene. No request for a hearing has been filed.

On January 22, 1996, the Oregon Department of Energy (ODOE) issued the results of its review of the PGE decommissioning plan for Trojan. The ODOE also offered a 30 day window of opportunity for members of the public to request a hearing under the State of Oregon statutes. On February 13, 1996, the NRC staff and the ODOE held a joint public meeting near the plant site in the town of Rainier, Oregon. The results of the review by both the NRC staff and the ODOE staff of the licensee's decommissioning plan and the supplement to the environmental report were presented. There were no comments by members of the public. The time period in which a member of the public or the licensee could request a contested case hearing in the State venue on the proposed decommissioning expired without a request. On March 7, 1996, the Energy Facility Siting Council of the ODOE voted to approve the proposed rule that allows the licensee to proceed with decommissioning.

III

The NRC has reviewed the PGE decommissioning plan with respect to the provisions of the Commission's rules and regulations and has found that decommissioning as described in the TNP Decommissioning Plan will be performed in accordance with the regulations of 10 CFR 50.82 and 10 CFR Chapter I and will not be inimical to the

common defense and security or to the health and safety of the public.

IV

Pursuant to 10 CFR 51.21, 51.30, and 51.35, the Commission prepared an environmental assessment, which was issued on December 18, 1995. The Commission published on December 22, 1995, in the Federal Register (60 FR 66568) a notice of issuance of the Environmental Assessment and Final Finding of No Significant Impact. On the basis of the environmental assessment, the Commission has determined that the proposed action will not result in any significant environmental impact and that an environmental impact statement need not be prepared.

V

Accordingly, pursuant to Sections 103, 161b, 161i, and 161o, of the Atomic Energy Act of 1954, as amended, 42 U.S.C. §§ 2133, 2201(b), 2201(i), 2201(o), and 10 CFR 50.82, the PGE Decommissioning Plan is approved and decommissioning of TNP is authorized in accordance with the plan.

For further details with respect to this action, see: (1) The application for authorization to decommission the facility of January 26, 1995, as supplemented November 13, 1995; (2) the Environmental Assessment by the U.S. Nuclear Regulatory Commission Related to the Request to Authorize Facility Decommissioning, December 1995; and (3) the Safety Evaluation Report by the U.S. Nuclear Regulatory Commission Related to the Request to Authorize Facility Decommissioning, December 1995. These documents are available for public inspection at the Commission's Public Document Room, the Gelman Building, 2120 L Street NW, Washington, DC 20555, and at the Local Public Document Room for the TNP at the Branford Price Millar Library, Portland State University, Portland, Oregon 97207.

Dated at Rockville, Maryland, this 15th day of April 1996.

For the Nuclear Regulatory Commission.
William T. Russell,
*Director, Office of Nuclear Reactor
Regulation.*

[FR Doc. 96-9854 Filed 4-19-96; 8:45 am]

BILLING CODE 7590-01-P